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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,633

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Halbe Tiemen Hageman

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ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

EXAMINER

SARWAR, BABAR

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,633	Applicant(s) HAGEMAN ET AL.	
	Examiner BABAR SARWAR	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on **10/07/2009** has been entered.

2. **Claims 1-8** had been previously cancelled.
3. **Claim 9** has been amended.
4. **Claims 9-26** are currently pending.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruska Tauno (6,584,330 B1) in view of Martin W. Greenwood (GB 2281458 A), hereinafter referenced as Ruska and Martin.

Consider **claim 9**, Ruska discloses a telecommunication apparatus (**Fig. 4, where discloses an RNC or RBS**) having a plurality of base station components, and a power supply unit for powering the base station components (**Fig. 4 elements 71-79,**

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where Ruska discloses a plurality of base stations components and a power supply unit), comprising: a control means (Fig. 4 elements 67, 69, where Ruska discloses statistical analyzer/compiler and power save control logic (PSCL)) adapted to receive input information on a power criterion so as to determine a power budget for the power supply unit and the plurality of the base station components based on the power criterion (Col. 6:5-15, Col. 6:54-67, Fig. 4, where Ruska discloses statistical analyzer/compiler collecting data from input power measuring device 63, traffic load measuring device 61, and PSCL, therefore receiving information on power criterion and determining power budget); and the control means operable to activate an amount of base station components of the plurality of the base station components having a total power consumption equal to or less than the power budget (Col. 6:5-15, Col. 6:54-67, Col. 7:1-6, Figs. 4, 12, where Ruska discloses performing a combination of power saving functions based on power criterion); and the control means operable to activate an amount of power supply unit of the power supply unit matching the total power consumption of the amount of activated base station components (Col. 6:5-15, Col. 6:54-67, Col. 7:1-6, Figs. 3-4, where Ruska discloses performing a combination of power saving functions based on power criterion); wherein the control means are operable to transfer active traffic from a base station component which is to be de-activated, to one or more of the other activated base station components, before de-activating the to be de-activated base station component (Col. 10: 39-60, Fig. 12, where Ruska discloses moving traffic currently on a carrier to another carrier).

Ruska discloses the base station components and the power supply unit. Further, Ruska discloses a plurality of base station sectors. However, Ruska does not specifically disclose a plurality of traffic handling units and a plurality of power supply units. Martin discloses a plurality of traffic handling units and a plurality of power supply units **(Fig.1, where Martin discloses power supply units, power distribution unit, and a plurality of transceivers)**. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Ruska with the teachings of Martin so as to provide the telecommunication apparatus with a high degree of reliability as discussed on **Page 1**.

Consider **claim 10**, the combination teaches everything claimed as implemented above (see claim 9). In addition, Ruska discloses wherein the control means are adapted to transfer active traffic from a traffic handling unit (the base station components) which is to be de-activated, to one or more of the activated traffic handling units, before de-activating the to be de-activated traffic handling unit **(Col. 10: 39-60, Fig. 12, where Ruska discloses moving traffic currently on a carrier to another carrier)**.

Consider **claim 11**, the combination teaches everything claimed as implemented above (see claim 9). In addition, Ruska discloses wherein a maximum power output of a subgroup of the plurality of power supply units matches a maximum power consumption of a subgroup of the plurality of traffic handling units **(Col. 6:5-15, Col. 6:54-67, Fig. 4, where Ruska discloses statistical analyzer/compiler collecting data from input power measuring device 63, traffic load measuring device 61, and PSCL, and**

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performing a combination of power saving functions based on power criterion, therefore matching a maximum power consumption).

Consider **claim 12**, the combination teaches everything claimed as implemented above (see claim 9). In addition, Ruska discloses wherein the control means further comprises: a power status monitor for determining the power budget based on the power criterion; a regulator for generating a regulator signal from an amount of active traffic; and a decider for deciding on an activation of one or more of the plurality of power supply units based on the power budget as determined by the power status monitor, the regulator signal and an actual power consumption (**Col. 6:5-15, Col. 6:54-67, Figs. 3-4, 12, where Ruska discloses statistical analyzer/compiler collecting data from input power measuring device 63, traffic load measuring device 61, PSCL, and performing a combination of power saving functions based on power criterion).**

Consider **claim 13**, the combination teaches everything claimed as implemented above (see claim 12). In addition, Ruska discloses wherein the decider comprises a decision mechanism for taking account of the power budget as a limit value, the regulator signal as a desired value, and the actual used power as a factual value, the decision mechanism being adapted for activating as many power supply units and traffic handling units as required to match the regulator signal, the decision mechanism however being adapted to activate no more power supply units and traffic handling units than allowed by the power budget (**Col. 6:5-15, Col. 6:54-67, Col. 7:1-6, Figs. 4, 12, where Ruska discloses performing a combination of power saving functions**

based on power criterion).

Consider **claim 14**, the combination teaches everything claimed as implemented above (see claim 9). In addition, Ruska discloses wherein the control means further comprises: a stay alive mechanism operable, when the power budget is under a first, predetermined level, to only activate power supplies and traffic handling units to process emergency calls; the stay alive mechanism operable, when the power budget is under a second, predetermined level which is lower than the first level, to not activate any of the traffic handling units and only keep the control means and further monitoring hardware active, and the stay alive mechanism operable, when the power budget is under a third, predetermined level which is lower than the second level, to shut down the telecommunication apparatus (**Figs. 3-4, 12, where Ruska discloses thresholds, and implementing power saving method, power saving optimization process**).

Consider **claim 15**, the combination teaches everything claimed as implemented above (see claim 9). In addition, Martin discloses wherein the power criterion comprises at least one selected from the group consisting of: an amount of solar cell generated power, a charging condition of a battery for supplying power to the apparatus, a value of a mains voltage supplied to the apparatus, an amount of fuel in a fuel tank of a generator for generating power for feeding the apparatus, and a failure of a power supply unit (**Abstract, Figs. 1, where Martin discloses failure of primary power source**).

Claim 16, as analyzed with respect to imitations discussed in claim 10.

Claim 17, as analyzed with respect to imitations discussed in claim 11.

Claim 18, as analyzed with respect to imitations discussed in claim 12.

Claim 19, as analyzed with respect to imitations discussed in claim 13.

Claim 20, as analyzed with respect to imitations discussed in claim 14.

Claim 21, as analyzed with respect to imitations discussed in claim 15.

Claim 22, as analyzed with respect to imitations discussed in claim 10.

Claim 23, as analyzed with respect to imitations discussed in claim 11.

Claim 24, as analyzed with respect to imitations discussed in claim 12.

Claim 25, as analyzed with respect to imitations discussed in claim 13.

Claim 26, as analyzed with respect to imitations discussed in claim 14.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BABAR SARWAR whose telephone number is (571)270-5584. The examiner can normally be reached on MONDAY TO FRIDAY 09:00 A.M -05:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BABAR SARWAR/
Examiner, Art Unit 2617

/BS/

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617